

RECEIVED and FILED by the  
NEW JERSEY STATE BOARD OF  
VETERINARY MEDICAL EXAMINERS  
on this date of: 3-24-04

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STATE OF NEW JERSEY  
DEPARTMENT OF LAW AND PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF VETERINARY MEDICAL  
EXAMINERS

IN THE MATTER OF

JOSEPH W. ADAMS, D.V.M.

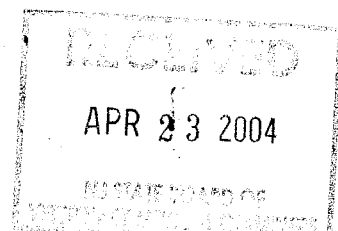
License No: VI00098800

TO PRACTICE VETERINARY  
MEDICINE IN THE STATE  
OF NEW JERSEY

Administrative Action

PROVISIONAL ORDER  
OF DISCIPLINE

This matter was opened to the New Jersey State Board of  
Veterinary Medical Examiners (hereinafter the "Board"), following  
its review of a biennial renewal application for licensure as a  
veterinarian in this State filed by John W. Adams, D.V.M. The



Board has reviewed the application and makes the following preliminary findings:

FINDINGS OF FACT

1. Respondent, John Warren Adams, D.V.M., is a veterinarian in the State of New Jersey and was a licensee of the Board at all times relevant to the underlying facts upon which the Board's actions herein are based.

2. On or about March 24, 2003, the New York Education Department, Office of Professional Discipline, State Board for Veterinary Medicine ("New York Board") entered into a Consent Order with the respondent. In this Consent Order, Dr. Adams acknowledged that he had been charged with one (1) specification of professional misconduct by the New York Board and further agreed in the Consent Order not to contest the aforementioned specification of professional misconduct. Specifically, the New York Board charged the respondent with

. . . practicing the profession of veterinary medicine with negligence on more than one occasion (by failing to perform a dental treatment and by failing to maintain an adequate record of visits, diagnoses and prescribed treatments).

3. Additionally, pursuant to the terms of the Consent Order, Dr. Adams agreed to the penalty that his license to practice veterinary medicine in the State of New York be suspended for one (1) year; that the suspension be stayed and that he be placed on probation for a period of one (1) years; and that he pay a civil

penalty of \$1,000.00. [A copy of the New York Application for Consent Order and Original Vote and Order are attached hereto and made a part hereof].

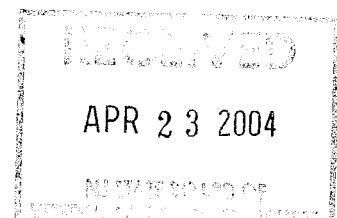
4. Prior to June 30, 2003, the respondent was sent a biennial renewal application by the Board to renew his license to practice veterinary medicine in this State from July 1, 2003 to June 30, 2005. As part of this renewal application, Dr. Adams was asked to respond to the following question:

6. Since your last renewal has any action been taken or is any action now pending against your professional license or have you been permitted to surrender or otherwise relinquish your license to avoid inquiry, investigation or action by any other licensing authority that you have not already reported to your board/committee?

5. The respondent checked the box on the application which answered "no" to the question outlined above, signed the application form and returned it to the Board's administrative office on or about May 20, 2003. A copy of the biennial renewal application, in the relevant portion, is attached hereto and made a part hereof.

#### CONCLUSIONS OF LAW

Respondent's suspension of his license to practice veterinary medicine in the State of New York provides grounds for disciplinary action of his license to practice veterinary medicine in New Jersey pursuant to N.J.S.A. 45:1-21(g). Additionally, the respondent's



conduct of failing to complete the renewal application truthfully and accurately concerning the disciplinary action taken by the New York Board in March 2003 constitutes the use of dishonesty, fraud, deception, misrepresentation and provides grounds for discipline of his license in this State pursuant to N.J.S.A. 45:1-21(c).

IT IS, THEREFORE, on this 24<sup>th</sup> day

of MARCH 2004, ORDERED that:

1. The respondent, John Warren Adams, D.V.M., is hereby formally reprimanded for having had his authority to practice veterinary medicine in New York suspended, as outlined in the New York Consent Order, pursuant to N.J.S.A. 45:1-21(g).

2. The respondent is also hereby formally reprimanded for engaging in the use of dishonesty, fraud, deception or misrepresentation, contrary to N.J.S.A. 45:1-21(b), by failing to accurately report on his renewal application that his New York license had been disciplined.

3. Dr. Adams is hereby assessed a civil penalty, pursuant to N.J.S.A. 45:1-22, in the amount of \$1,000.00 for having had his authority to practice veterinary medicine in New York suspended and for engaging in the use of dishonesty, fraud, deception or misrepresentation in violation of N.J.S.A. 45:1-21(g) and (b), respectively. Payment for the civil penalty shall be submitted no later than ten (10) days from the entry of this Consent Order, by certified check or money order, made payable to the State Board of

Veterinary Medical Examiners and shall be forwarded to Leslie Aronson, Executive Director, Board of Veterinary Medical Examiners, 124 Halsey Street, Sixth Floor, Post Office Box 45020, Newark, New Jersey 07101. Subsequent violations will subject respondent to enhanced penalties pursuant to N.J.S.A. 45:1-25.

4. The within Order shall be subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry hereof unless Respondent requests a modification or dismissal of the above stated Findings of Fact or Conclusions of Law by:

a) Submitting a written request for modification or dismissal to Leslie G. Aronson, Executive Director, State Board of Veterinary Medical Examiners, 124 Halsey Street, Sixth Floor, Post Office Box 45020, Newark, New Jersey 07101.

b) Setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed.

c) Submitting any and all documents or other written evidence supporting Respondent's request for mitigation of the preliminary imposed sanctions and reasons therefor.

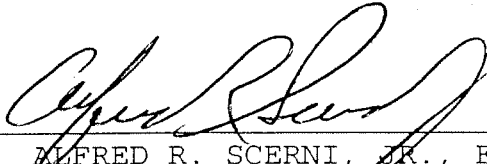
5. Any submissions will be reviewed by the Board, and the Board will thereafter determine whether further proceedings are necessary. If no material discrepancies are raised through a supplemental submission during the thirty-day period, or if the Board is not persuaded that submitted materials merit further consideration, a Final Order Denying Licensure will be entered.

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6. In the event that Respondent's submissions establish a need for further proceedings, including, but not limited to, an evidentiary hearing, the Respondent shall be notified with regard thereto.

STATE BOARD OF VETERINARY MEDICAL EXAMINERS

By: \_\_\_\_\_



ALFRED R. SCERNI, JR., ESQUIRE  
President



# The University of the State of New York

IN THE MATTER

OF

JOSEPH WARREN ADAMS  
(Veterinarian)

ORIGINAL  
VOTE AND ORDER  
NO. 20529

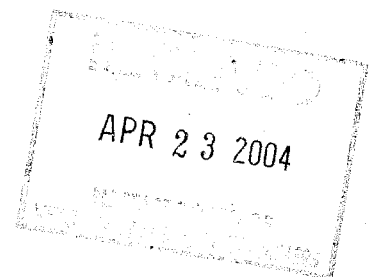
Upon the application of JOSEPH WARREN ADAMS, under Calendar No. 20529, which application is made a part hereof, and in accordance with the provisions of Title VIII of the Education Law, it was

VOTED (March 25, 2003): That ~~the application of~~ JOSEPH WARREN ADAMS, respondent, ~~for a consent order be granted~~; and that the Deputy Commissioner for the Professions be empowered to execute, for and on behalf of the Board of Regents, all orders necessary to carry out the terms of this vote;

and it is

ORDERED: That, pursuant to the above vote of the Board of Regents, said vote and the provisions thereof are hereby adopted and SO ORDERED, and it is further

ORDERED that this order shall take effect as of the date of the personal service of this order upon the respondent or five days after mailing by certified mail.



VOTE AND ORDER

JOSEPH WARREN ADAMS

CALENDAR NO. 20529



NEW YORK STATE EDUCATION DEPARTMENT  
OFFICE OF PROFESSIONAL DISCIPLINE  
STATE BOARD FOR VETERINARY MEDICINE  
-----X

IN THE MATTER

of the

Disciplinary Proceeding

against

JOSEPH WARREN ADAMS

APPLICATION FOR  
CONSENT ORDER

CAL. NO. 20529

who is currently licensed to practice as  
a veterinarian in the State of New York.  
-----X

JOSEPH WARREN ADAMS states:

That on or about August 18, 1961, I was licensed to practice  
as a veterinarian in the State of New York, having been issued  
license number 002314 by the New York State Education Department.

I am currently registered with the New York State Education  
Department to practice as a veterinarian in the State of New York  
from an address at: 123 West Street, Warwick, New York 10990.

That I have been charged with one (1) specification of  
professional misconduct, a copy of which is annexed hereto, made a  
part hereof, and marked as Exhibit "A".

I do not contest the aforesaid specification of professional  
misconduct, charging me with practicing the profession of  
veterinary medicine with negligence on more than one occasion (by  
failing to perform a dental treatment and by failing to maintain

APR 23 2004

JOSEPH WARREN ADAMS

an ~~adequate record of visits, diagnoses and prescribed treatments~~).

I hereby agree to the penalty that my license to practice as a veterinarian in the State of New York be ~~suspended for one (1) year~~; that execution of said suspension be ~~stayed~~; that I be placed on probation ~~for a period of one (1) year~~, under the terms of probation set forth in the exhibit annexed hereto, made a part hereof, and marked as Exhibit "B"; that I be ~~finned one thousand dollars (\$1,000)~~, said fine to be paid in the manner set forth in the aforesaid terms of probation.

I hereby make this application to the Board of Regents and request that it be granted.

I understand that in the event that the Board of Regents denies the application, nothing contained herein shall be binding upon me or construed to be an admission of any act of misconduct alleged or charged against me. Such application shall not be used against me in any way and shall be kept in strict confidence during the pendency of the disciplinary proceeding, and such denial by the Board of Regents shall be without prejudice to the continuance of the disciplinary proceeding and the final determination by the Board of Regents pursuant to the provisions of the Education Law.

JOSEPH WARREN ADAMS

I agree that in the event the Board of Regents grants my application, as set forth herein, an Order may be issued in accordance with the same. I understand that if and when the Board of Regents grants this application, the entire application shall become a matter of public record.

No promises of any kind were made to me. I am making this application of my own free will and accord and not under duress, compulsion, or restraint of any kind or manner.

  
\_\_\_\_\_  
Respondent



EXHIBIT "A"

JOSEPH WARREN ADAMS

SPECIFICATION OF PROFESSIONAL MISCONDUCT

Respondent is charged with practicing the profession of veterinary medicine with negligence on more than one occasion, within the purview and meaning of New York Education Law section 6509(2), in that:

While practicing the profession of veterinary medicine in New York City, New York, Respondent treated rabbit T. and in the course of said treatment:

(1) On March 24, 1998, Respondent failed to perform a dental treatment when it was his professional responsibility to do so; and

(2) From July 1996 to March 1998, Respondent failed to maintain an adequate record of visits, diagnoses and prescribed treatments when it was his professional responsibility to do so.

EXHIBIT "B"

TERMS OF PROBATION

JOSEPH WARREN ADAMS

CALENDAR NO. 20529

1. That Respondent, during the period of probation, shall be in compliance with the standards of conduct prescribed by the law governing Respondent's profession;
2. That Respondent shall submit written notification to the New York State Education Department, addressed to the Director, Office of Professional Discipline, New York State Education Department, 475 Park Avenue South -- Second Floor, New York, New York 10016-6901, of any employment and/or practice, Respondent's residence, telephone number, or mailing address, and of any change in Respondent's employment, practice, residence, telephone number, or mailing address within or without the State of New York;
3. That Respondent shall pay the one thousand dollar (\$1,000) fine imposed upon Respondent, by certified or bank cashier's check, made payable to the order of the New York State Education Department, to be delivered to the Director, Office of Professional Discipline, as aforesaid, within the first eight (8) months of the period of probation;
4. That Respondent shall, within the first eight (8) months of the probationary period, at Respondent's expense, submit and successfully complete a plan of continuing education, consisting of coursework in record-keeping, to update the knowledge and skills of Respondent, said plan to have the prior written approval of the New York State Education Department; and shall submit written proof of such successful completion within thirty (30) days after the completion of the plan to the New York State Education Department, addressed to the Director, Office of Professional Discipline, as aforesaid;
5. That Respondent shall submit written proof from the Division of Professional Licensing Services (DPLS), New York State Education Department (NYSED), that Respondent has paid all registration fees due and owing to the NYSED and Respondent shall cooperate with and submit whatever papers are requested by DPLS in regard to said registration fees, said proof from DPLS to be submitted by Respondent to the NYSED, addressed to the Director, Office of Professional Discipline, as aforesaid, no later than the first three months of the period of probation;

JOSEPH WARREN ADAMS  
CALENDAR NO. 20529

6. That Respondent shall submit written proof to the NYSED, addressed to the Director, Office of Professional Discipline, as aforesaid, that 1) Respondent is currently registered with the NYSED, unless Respondent submits written proof that Respondent has advised DPLS, NYSED, that Respondent is not engaging in the practice of Respondent's profession in the State of New York and does not desire to register, and that 2) Respondent has paid any fines which may have previously been imposed upon Respondent by the Board of Regents, said proof of the above to be submitted no later than the first two months of the period of probation;
7. That Respondent shall make quarterly visits to an employee of the Office of Professional Discipline, New York State Education Department, unless otherwise agreed to by said employee, for the purpose of said employee monitoring Respondent's terms of probation to assure compliance therewith, and Respondent shall cooperate with said employee, including the submission of information requested by said employee, regarding the aforesaid monitoring;
8. That upon receipt of evidence of noncompliance with or any other violation of any of the aforementioned terms of probation, the New York State Education Department may initiate a violation of probation proceeding and/or such other proceedings pursuant to the Education Law and/or Rules of the Board of Regents.

NEW YORK STATE EDUCATION DEPARTMENT  
OFFICE OF PROFESSIONAL DISCIPLINE  
STATE BOARD FOR VETERINARY MEDICINE

-----X

IN THE MATTER

of the

Disciplinary Proceeding

against

JOSEPH WARREN ADAMS

APPLICATION FOR  
CONSENT ORDER

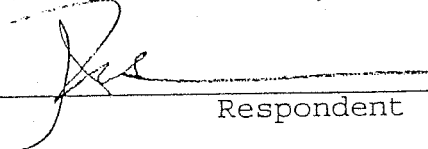
CAL. NO. 20529

who is currently licensed to practice as  
a veterinarian in the State of New York.


-----X

The undersigned agree to the above statement and to the  
proposed penalty based on the terms and conditions thereof.


Dated: 11/02/02 , 2002

  
Respondent

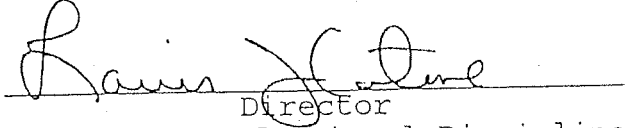
Dated: OCTOBER 24 , 2002

  
Attorney for Respondent

Dated: November 15 , 2002

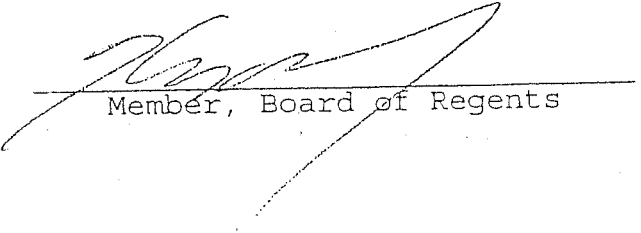
  
Member of the State Board  
for Veterinary Medicine

Dated: 1-16 , 2003

  
Director  
Office of Professional Discipline

The undersigned, a member of the Board of Regents who has  
been designated by the Chairman of the Regents Committee on  
Professional Practice to review this Application for a Consent  
Order, has reviewed said Application and recommends to the Board  
of Regents that the Application be granted.

Dated: Jan 18 , 2003

  
Member, Board of Regents

IRB

NEW YORK STATE EDUCATION DEPARTMENT  
OFFICE OF PROFESSIONAL DISCIPLINE  
STATE BOARD FOR

VETERINARY MEDICINE

IN THE MATTER OF

JOSEPH WARREN ADAMS

APPLICATION FOR CONSENT ORDER

Nina Gottlieb  
Director of Prosecutions  
Office of Professional Discipline  
1450 Western Avenue, Suite 202  
Albany, New York 12203-3539

ILENE R. BERGMAN  
Prosecuting Attorney  
(518) 485-9351